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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,769	01/16/2001	Laszlo Elteto	G&C 30074.29-US-I1	7445

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EXAMINER	
JACKSON, JENISE E	

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/764,769	ELTETO ET AL.	
	Examiner	Art Unit	
	Jenise E Jackson	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Rallis(6,216,230).

3. As per claims 1, 12, Rallis discloses a method of securing a token from unauthorized use(see col. 2, lines 52-56), including the steps of: receiving a first message transmitted from a host processing device an addressed to a PIN entry device according to a universal serial bus (USB) protocol(see col. 1, lines 49-54); accepting a PIN entered into the PIN entry device(see fig. 1A, sheet 1, col. 1, lines 49-52); and transmitting a second message including at least a portion of the first message and the PIN from the PIN entry device to the token along a secure communication path(see col. 1, lines 54-59).

4. As per claim 2, Rallis discloses the first message is received in the PIN entry device(see col. 1, lines 51-54); and the second message is transmitted from the PIN entry device directly to the token along the secure communication path(see col. 1, lines 60-67, col. 2, lines 52-56).

5. As per claim 3, Rallis discloses the step of receiving the first message transmitted from a host processing device and addressed to a PIN entry device(see col. 1, lines 51-59), includes receiving the first message in a USB-compliant hub, inherent, because Rallis discloses a usb

port(14)(see fig. 1A, sheet 1)(see col. 2, lines 35-43, 52-56), communicatively coupled to the host processing device via a first communication path(see fig. 1A, sheet 1, col. 1, lines 49-59); transmitting the first message to the PIN entry device communicatively coupled to the USB-compliant hub, inherent, because Rallis discloses a usb port(14)(see fig. 1A, sheet 1, col. 1, lines 49-54); and the step of transmitting the second message comprising the portion of the first message and the PIN and at least a portion of the first message from the PIN entry device to the token along a secure communication path, transmitting a second message from the pin entry device via the USB hub(see col. 1, lines 49-67, col. 2, lines 35-43).

6. As per claim 4, Rallis discloses wherein the step of transmitting the second message from the PIN entry device via the USB-compliant hub includes the steps of: transmitting a third message comprising the PIN from the PIN entry device to the USB-compliant hub; processing the message in the USB-compliant hub to produce the second message; and transmitting the second message from the USB-compliant hub(see col. 1, lines 49-67). The Examiner asserts that the third message is whether the pin is correct or not.

7. As per claim 5, Rallis discloses wherein the signal received from the host processing device is generated in an API interface, is inherent in Rallis because Rallis discloses messages that are both sent and received by the token and host processing device(i.e. notebook)(see col. 2, lines 48-56).

8. As per claims 6, 13, Rallis discloses the first message is encrypted according to a first encryption key; and the pin entry device comprises a decryption module having access to the first encryption key for decoding the first message(see col. 1, lines 37-67).

9. As per claim 7, Rallis discloses wherein the second message is transmitted to the token according to a USB-compliant protocol(14)(see fig. 1A, sheet 1)(see col. 1, lines 49-59).

10. As per claims 8, 15, Rallis discloses wherein the second message is encrypted according to a second encryption key and the token comprises a decryption module having access to the second encryption key(see col. 3, lines 49-67, col. 4, lines 1-11).

11. As per claim 9, Rallis discloses wherein the step of transmitting the second message from the PIN entry device to the token further comprises the step of: encrypting the second message according to a second encryption key stored in the PIN entry device and the token; and transmitting the encrypted second message to the token(see col. 3, lines 49-67, col. 4, lines 1-11, 17-24).

12. As per claim 10, Rallis discloses wherein the first message is a message transmitted from the host processing device to authorize a transaction(see col. 1, lines 49-51). The Examiner asserts that the first message is the message that prompts the user to connect the key device(i.e. token to the host(i.e. notebook).

13. As per claim 11, Rallis et al. discloses wherein the first message is a message transmitted from the host processing device to authenticate a user of the token(see col. 1, lines 49-54).

14. As per claim 14, Rallis discloses wherein the module is a software module having instructions stored in a memory accessible to the processor(see col. 2, lines 61-67, col. 2, lines 1-19).

15. As per claim 16, Rallis discloses wherein the second module is a software module having instructions stored in a memory accessible to the processor(see col. 2, lines 61-67, col. 2, lines 1-19).

16. As per claim 17, Rallis discloses wherein the PIN entry device further includes an output device for prompting the user to enter the PIN(see col. 1, lines 49-54).

17. As per claim 18, limitations have already been addressed(see claims 1 and 3-4).

18. As per claim 19, Rallis discloses encrypting the third message according to a first encryption key stored in a memory of the token before transmitting the third message to the token(see col. 1, lines 37-59).

19. As per claim 20, Rallis inherently discloses a USB-compliant hub, because Rallis discloses a usb port(14)(see fig. 1A, sheet 1), communicably coupleable between a host processing device and the token, the USB compliant hub having; means for intercepting a message addressed to the PIN entry device; means for generating a third message from the first message and a user-entered PIN; and means for transmitting the third message to the token; a PIN entry device, communicatively coupled to USB-compliant hub, for accepting a user-entered PIN and providing the user-entered PIN to the USB compliant hub(see col. 1, lines 49-67). The Examiner asserts that the third message is whether the pin is correct or not.

20. As per claim 21, Rallis discloses wherein the means for intercepting a message addressed to the PIN entry device, the means for generating the third message from the first message and a user-entered PIN and the means for transmitting the third message to the token(see col. 1, lines 49-67), including at least one processor having at least one communicatively coupled memory storing processor instructions for intercepting a message addressed to the PIN entry device(see col. 2, lines 35-38, 48-56), for generating the third message from the first message and a user-entered PIN, and for transmitting the third message to the token(see col. 1, lines 49-67).

21. As per claim 22, Rallis discloses wherein the USB-compliant hub further comprises a means for encrypting the third message according to an encryption key stored in a memory of the token(see col. 1, lines 49-59).

22. As per claim 23, Rallis discloses wherein the means for intercepting a message addressed to the PIN entry device, the means for generating the third message from the first message and a user-entered PIN(see col. 1, lines 49-59), the means for encrypting the third message according to an encryption key stored in the memory of the token(see col. 1, lines 49-59, col. 3, lines 49-67), and the means for transmitting the third message to the token comprises at least one processor having at least one communicatively coupled memory storing processor(see col. 2, lines 35-38)(see col. 1, lines 49-59), instructions for intercepting a message addressed to the PIN entry device(see col. 1, lines 49-59), for generating the third message from the first message and a user-entered PIN, for encrypting the third message according to an encryption key stored in the memory of the token and for transmitting the third message to the token(see col. 1, lines 49-59, col. 3, lines 49-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 13, 2004

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